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NORRIS MCLAUGHLIN & MARCUS, P.A.  
220 East 42<sup>nd</sup> Street  
30<sup>th</sup> Floor  
New York, New York 10017  
Tel.: (212) 808-0700  
Fax.: (212) 808-0844

**Date:** July 15, 2004

**To:** MAIL STOP AF  
Examiner Stacy Brown Chen  
US Patent and Trademark Office  
Fax: 703-872-9306

**Subject:** USSN: 09/914,658  
Our Ref.: 100725-24/ Krcisler 1098-KGB

**From:** Theodore A. Gottlieb

**Comments:** Filing of: response to Office Action dated January 15, 2004, including Notice of Appeal (2 pgs.); and Petition for Three Months Extension of Time (1 pg.)

If you have any questions or need further information, please contact us.

You should receive 4 pages including this cover sheet.

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Atty's Docket: Belersdorf 617  
USS 09/641,409

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

SERIAL NO.	:	09/914,658
APPLICANT	:	GERD HOBOM et al.
FILED	:	FEBRUARY 15, 2002
EXAMINER	:	Stacy Brown Chen
ART UNIT	:	1648
FOR	:	STABLE RECOMBINANT INFLUENZA VIRUSES FREE OF HELPER VIRUSES

Hon. Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

July 15, 2004

**NOTICE OF APPEAL**

Sir:

Applicant hereby appeals to the Board of Appeals from the decision dated January 15, 2004, the Supervisory Examiner finally rejecting claims 1-22, 24-26 and 28-30, in this application.

The period for response to the final rejection was set to expire on April 15, 2004. Such period has been extended THREE months as indicated in the Petition for Extension of Time filed herewith.

Charge the appeal fee of (check one):

☒ \$330.00  
☐ \$165.00

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USS 09/641,409

to Deposit Account No. 14-1263.

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**CONDITIONAL PETITION FOR EXTENSION OF TIME**

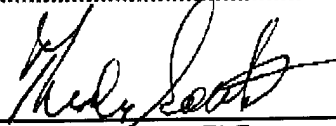
If any extension of time for this response is required, Applicants request that this be considered a petition therefore. Please charge the required fee to Deposit Account No. 14-1263.

**ADDITIONAL FEES**

Please charge any further insufficiency of fees, or credit any excess to Deposit Account No. 14-1263.

Respectfully Submitted,

Norris, McLaughlin & Marcus  
220 East 42 nd Street  
New York, NY 10017  
Telephone (212) 808-0700  
Facsimile (212) 808-0844

  
Theodore Gottlieb, PhD  
Reg. No. 42, 597

**Certificate of Transmission**

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office Fax No. (703) 872-9307 on July 15, 2004  
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